

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... **AUG 29 1994**  
 Returned to applicant for correction..... **SEP 30 1994**  
 Corrected application filed..... Map filed..... **AUG 29 1994** under 60413-T

The applicant..... **MONTREUX, A JOINT VENTURE**  
 ..... **2500 SPINNAKER DRIVE** ..... of **RENO** .....  
Street and No. or P.O. Box No. City or Town  
 ..... **NV 89509** ..... hereby make application for permission to change the  
State and Zip Code No.  
 ..... **place of use and manner of use of a portion** .....  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under..... **Claim #6471 of the Final Decree in Equity Docket** .....  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
**A-3, "United States of America vs. Orr Water Ditch Company, et al."**  
Identify right in Decree.

1. The source of water is..... **Galena Creek** .....  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed..... **1.29 cfs, not to exceed 232.20 acre feet** .....  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... **dust control, compaction & other construction purposes** .....  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for..... **as Decreed** .....  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point..... **SW1 SW1 of Section 2, T.17N. R.19E** .....  
Describe as being within a 40-acre subdivision of public survey and by course and  
**M.D.B. & M. or at a point from which the SW Corner of said Section 2 bears**  
distance to a section corner. If on unsurveyed land, it should be stated.  
**S. 29°25' W., a distance of 563.5 feet. (Paddy Reynolds Ditch)**
6. The existing permitted point of diversion is located within.....  
If point of diversion is not changed, do not answer.

See Exhibit #1 attached.

7. Proposed place of use.....  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

See Exhibit #2 attached.

8. Existing place of use.....  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from..... **as Decreed** ..... to ..... of each year.  
Month and Day Month and Day

10. Use was permitted from..... **as Decreed** ..... to ..... of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.)..... **water will be diverted from Galena Creek**  
State manner in which water is to be diverted, i.e. diversion structure,  
**thorough the Paddy Reynolds Ditch into a small pond and then used for construction**  
ditches, pipes and flumes, or drilled well, etc. purposes.

12. Estimated cost of works..... **\$2000.00**

13. Estimated time required to construct works..... **two months**

14. Estimated time required to complete the application of water to beneficial use.....six months

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be used during the construction of the Montreux Golf Course.

By.....ROBERT E. FIRTH  
s/Robert E. Firth  
360 E. RIVERVIEW CIRCLE  
RENO, NV 89509

Compared jr/bk jr/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use and manner of use of a portion of the waters of Galena Creek as heretofore granted under Claim 647½, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report of the water diverted and placed to beneficial use must be submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on May 17, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.14.....cubic feet per second....., but not to exceed 198.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of May

A.D. 1995  
*[Signature]*  
State Engineer

EXPIRED  
DATE MAY 17 1996

EXHIBIT #1

PROPOSED PLACE OF USE

SECTION 2, T.17N., R.19E., M.D.B.&M.

NW¼	SW¼	-	5.62 ACRES
NE¼	SW¼	-	1.33 ACRES
SW¼	SW¼	-	6.19 ACRES

SECTION 3, T.17N., R.19E., M.D.B.&M.

NW¼	SW¼	-	2.80 ACRES
SW¼	SW¼	-	10.30 ACRES
NE¼	SW¼	-	5.79 ACRES
SE¼	SW¼	-	5.86 ACRES
SW¼	NE¼	-	1.71 ACRES
SE¼	NE¼	-	6.77 ACRES
NW¼	SE¼	-	1.57 ACRES
SW¼	SE¼	-	3.82 ACRES RCZ 6/26/94
SE¼	SE¼	-	3.69 ACRES
NE¼	SE¼	-	6.75 ACRES

SECTION 11, T.17N., R.19E., M.D.B.&M.

NW¼	NW¼	-	7.24 ACRES
SW¼	NW¼	-	<u>2.16 ACRES</u>
TOTAL	-	-	71.60 ACRES

EXHIBIT 2

EXISTING PLACE OF USE

SECTION 1, T.17N., R.19E., M.D.B.&M.

NW¼ SW¼ - 1.60 ACRES

SECTION 2, T.17N., R.19E., M.D.B.&M.

SE¼ SW¼ - 15.0 ACRES

NE¼ SW¼ - 6.0 ACRES

SW¼ SE¼ - 9.3 ACRES

NW¼ SE¼ - 10.0 ACRES

SE¼ SE¼ - 3.6 ACRES

NE¼ SE¼ - 6.0 ACRES

TOTAL - 49.9 ACRES